

REMARKS

Favorable consideration of this Application in light of the following discussion is respectfully requested.

Please note in accordance with the discussion below, Applicants will consider requesting a pre-Brief Appeal conference, which is scheduled to be implemented at the U.S. Patent and Trademark Office in the third quarter of FY'2005. The mechanisms necessary for invoking this procedure are not available at the time of filing this response, however, Applicants believe that the mechanisms will be in place prior to the statutory period for responding to the outstanding Official Action.

Claims 1, 3-6 and 8-10 are pending in the present Application. No new matter has been added.

By way of summary, the Official Action presents the following issues: Claims 1, 3-6 and 8-10 stand rejected under 35 U.S.C. § 102 as being anticipated by Forsen (U.S. Patent No. 6,073,166).

REJECTION UNDER 35 U.S.C. § 102

The Official Action has rejected Claims 1, 3-6 and 8-10 under 35 U.S.C. § 102 as being anticipated by Forsen. The Official Action asserts that Forsen discloses all the Applicants' claim limitations. Applicants respectfully traverse the rejection.

Claim 1 recites, *inter alia*, a receiving apparatus for receiving mail, including:

output control means for executing processing corresponding to said data accompanying said script or corresponding to an input event and controlling the output of a result of said processing,
wherein said data is status information of specific point of processing, which has been executed by said sending apparatus.

I. The Forsen reference does not disclose the provision of status information of a specific point of processing.

Forsen describes a system for generating internet mail in accordance with the MIME standard (Multipurpose Internet Mail Extension). As shown in Fig. 2, a module of executable code is included in the MIME communication for providing such features as interactive elements, such as buttons and other clickable elements. For example, a JAR file may be included in the MIME communication to provide class files, images, sound files, and the like.¹

Conversely, in an exemplary embodiment of the Applicants' claimed invention, an executable script and accompanying data are provided in an email communication, such that the script and data are executed upon opening of the email. The data corresponding to the script is status information of a specific point of processing, which has been executed by the sending apparatus. Thus, in operation, incremental changes made by way of email communication from a sender to a receiver can be automatically executed at each terminal depending upon the point of processing to facilitate interactive communication.²

This claimed feature, among other benefits, provides the ability of a user to participate in an email exchange using a corresponding application program of the email, in which a series of actions are exchanged between email recipients. For example, where a sender and a receiver participate in a game, such as checkers, the person receiving the email does not have to adjust the board to account for past movements. In the exemplary embodiment of the invention, the email is opened and the application program presents the board in its interim playing state, including past moves made by the email recipients.

The Official CAtion cites the abstract of Forsen as disclosing this feature of the claimed invention, however, the above-described feature is not disclosed there. Forsen does not disclose or suggest providing status information of a specific point of processing executed

¹ Forsen at column 3, lines 4-39.

² Application at Fig. 30; pages 78-79.

by a sending apparatus, as presently recited in Claim 1 and any claim depending therefrom. Likewise, independent Claims 4-6 and 8-10 recite substantially similar limitations to that discussed above, and, are, as well as any claims depending therefrom, likewise allowable. Accordingly, Applicants respectfully submit that Claims 1, 3-6 and 8-10 patently define over Forsen; and, Applicants respectfully request that the rejection of Claims 1, 3-6 and 8-10, under 35 U.S.C. § 102 be withdrawn.

CONCLUSION

Should the above distinctions be found unpersuasive, Applicants respectfully request that the Examiner provide an explanation via Advisory Action pursuant to MPEP § 714.13 specifically rebutting the points raised herein for purposes of facilitating the appeal conference process.

Consequently, in view of the foregoing amendment and remarks, it is respectfully submitted that the present Application, including Claims 1, 3-6 and 8-10, is patently distinguished over the prior art, in condition for allowance, and such action is respectfully requested at an early date.

Respectfully submitted,

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